

Apr 29, 2019

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

SHANNON O.,

No. 1:18-CV-3169-JTR

v.

ORDER GRANTING STIPULATED
MOTION FOR REMAND
PURSUANT TO SENTENCE FOUR
OF 42 U.S.C. § 405(g)

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

BEFORE THE COURT is the parties' stipulated motion to remand the above-captioned matter to the Commissioner for additional administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 14. Attorney D. James Tree represents Plaintiff; Special Assistant United States Attorney David J. Burdett represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 5. After considering the file and proposed order, **IT IS ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 14**, is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

If a fully favorable decision is not issued on remand, the administrative law judge (ALJ) will hold a *de novo* hearing, further develop the record as necessary, and issue a new decision. On remand, the ALJ shall further evaluate the opinion evidence, exhibit and consider the evidence submitted to the Appeals Council, and

1 consider the lay witness statement of Plaintiff's former employer. In addition, the
2 ALJ shall further evaluate the severity of Plaintiff's headaches. Plaintiff may
3 present additional testimony and submit additional evidence.

4 2. **Judgment shall be entered for PLAINTIFF.**

5 3. Plaintiff's Motion for Summary Judgment, **ECF No. 11**, is
6 **STRICKEN AS MOOT.**

7 4. An application for attorney fees and costs may be filed by separate
8 motion.

9 The District Court Executive is directed to enter this Order, forward copies
10 to counsel, and **CLOSE THE FILE.**

11 DATED April 29, 2019.



A handwritten signature in black ink, consisting of a stylized 'M' followed by a horizontal line.

JOHN T. RODGERS
UNITED STATES MAGISTRATE JUDGE